

**IN THE UNITED STATES BANKRUPTCY
COURT SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re
Alexander E. Jones,
Debtor.

Bankruptcy
Case No. 22-33553 (CML)
Chapter 11

Neil Heslin, Scarlett Lewis, Leonard Pozner,
Veronique De La Rosa, and Estate Of Marcel
Fontaine,

Plaintiffs

v.

Alexander E. Jones,
Defendant.

Adv. Pro. No. 23-03035 (CML)

**TEXAS PLAINTIFFS' EMERGENCY MOTION FOR AN ORDER TO
EXTEND DEADLINE TO FILE REPLY**

The Texas Plaintiffs,¹ by and through their undersigned counsel, hereby files this emergency motion (the "Motion") and respectfully requests that the Court extend Texas Plaintiffs' deadline to file a reply in further support of their Motion for Summary Judgment against Defendant Alexander E. Jones and in response to Defendant's Objections and Responses to Movants' Statement of Uncontested Material Facts and Summary Judgment Evidence (Doc. No. 33).

On April 13, 2023, this Court entered the *Parties' Stipulation and Agreed Order Regarding the Dismissal of FSS from the Jones Adversary Proceedings and Schedule for the*

¹ The "Texas Plaintiffs" are Neil Heslin, Scarlett Lewis, Leonard Pozner, Veronique De La Rosa, and the Estate of Marcel Fontaine.

Answer and Summary Judgment Briefing Plaintiffs' Complaint (the "Scheduling Order")² (Doc. No. 13). The Scheduling Order set July 7, 2023 as the date that the Texas Plaintiffs and Connecticut Plaintiffs³ shall file their summary judgment replies in the Jones Adversary Proceedings. The Court may extend the time for the Texas Plaintiffs' reply answer deadline. Fed. R. Civ. P. 16(b)(1)(A).

The Texas and Connecticut Plaintiffs have conferred with the Debtor, who does not oppose the relief requested in this Motion.

WHEREFORE, Texas Plaintiffs respectfully request the Court enter an Order by tomorrow, July 7, 2023, that modifies the Texas Plaintiffs' deadline to file their summary judgment reply from July 7, 2023 to July 14, 2023, and for such other and further relief as it deems just and proper.

Dated: July 6, 2023

² Capitalized terms used but not otherwise defined herein shall have the meanings given to them in the Scheduling Motion.

³ The "Connecticut Plaintiffs" have filed parallel adversary proceedings and are seeking substantially similar relief by separate motion. The Connecticut Plaintiffs are Mark Barden, Jacqueline Barden, Francine Wheeler, David Wheeler, Ian Hockley, Nicole Hockley, Jennifer Hensel, William Aldenberg, William Sherlach, Carlos M. Soto, Donna Soto, Jillian Soto-Marino, Carlee Soto Parisi, Robert Parker, and Richard M. Coan, as chapter 7 trustee for the estate of Erica Lafferty.

Respectfully submitted,

Dated: July 6, 2023

/s/ Jennifer J. Hardy

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*Bankruptcy Co-Counsel to the Texas
Plaintiffs*

CERTIFICATE OF CONFERENCE

The undersigned certifies that prior to filing this motion a conference was held with Debtor's Counsel via email on June 30, 2023, at which time the Debtor confirmed that it is unopposed to the relief sought in this Motion.

/s/ Jennifer J. Hardy
Jennifer J. Hardy

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of July 2023, a true and correct copy of the foregoing was served via the Court's ECF system to the parties registered to receive electronic service.

/s/ Jennifer J. Hardy
Jennifer J. Hardy

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**ORDER GRANTING TEXAS PLAINTIFFS' UNOPPOSED MOTION TO
EXTEND DEADLINE TO FILE REPLY**

The Court, after reviewing *Texas Plaintiffs' Emergency Motion For An Order To Extend Deadline To File Reply* (the "Motion"), finds that good cause exists to modify the Texas Plaintiffs' deadline to file their summary judgment reply in the adversary proceeding, as agreed with the Debtor, and that the Emergency Motion should be GRANTED.

The Texas Plaintiffs' deadline to file a reply in further support of the motion for summary judgment in the Jones Adversary Proceedings (as defined in Doc. No. 13) is **July 14, 2023**.

Signed _____, 2023

Hon. Christopher Lopez
United States Bankruptcy Judge